

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Michael J. Petrillo, et al )  
U.S. Serial No.: 10/541,562 )  
Filed in U.S.: July 6, 2005 )  
For: Method and Apparatus to Recover a Dead )  
Pixel in Digital Imaging Systems )  
Attorney Docket No.: PHUS030008US )  
Cleveland, Ohio 44143  
November 28, 2005

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE DO/EO/US**

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In connection with the above-entitled case, please find enclosed: (1) copy of Notification of Missing Requirements (2) signed Declaration and Power of Attorney (3 pages).

The Commissioner is hereby authorized to charge any additional fees that may be required, or to credit any overpayment, to Deposit Account No. 14-1270.

Respectfully submitted,

  
Thomas M. Lundin  
Reg. No. 48,979

Philips Intellectual Property & Standards  
595 Miner Road  
Cleveland, Ohio 44143  
Tel: 440/483-4281

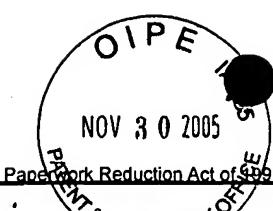
12/07/2005 MKAYPAGH 00000117 141270 10541562

01 FC:1617 130.00 DA

30391.1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Attention: Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313 on this 28th day of November, 2005.

  
Patricia A. Heim



API Rec'd PCT/PTO 30 NOV 2005

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/541,562

Filing Date July 6, 2005

First Named Inventor Michael J. Petrillo

Art Unit unknown

Examiner Name unknown

Attorney Docket Number PHUS030008US

## ENCLOSURES (Check all that apply)

|   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                              | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC)      |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                    | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                    | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                                  | <input type="checkbox"/> Terminal Disclaimer                              | copy of Notification of Missing Parts Declaration - 3 pages                             |
| <input type="checkbox"/> Information Disclosure Statement                             | <input type="checkbox"/> Request for Refund                               | return postcard   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                       | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53          |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Thomas M. Lundin

Signature

Date November 28, 2005

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: November 28, 2005

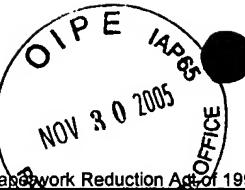
Typed or printed Patricia A. Heim

Signature

Date November 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | 10/541,562          |
| Filing Date          | July 6, 2005        |
| First Named Inventor | Michael J. Petrillo |
| Examiner Name        | unknown             |
| Art Unit             | unknown             |
| Attorney Docket No.  | PHUS030008US        |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:Deposit Account Number  
Deposit Account Name

14-1270

Philips Medical Systems

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity           | Small Entity  | Fee Description        | Fee Paid |
|------------------------|---------------|------------------------|----------|
| Fee Code (\$)          | Fee Code (\$) |                        |          |
| 1001 770               | 2001 385      | Utility filing fee     |          |
| 1002 340               | 2002 170      | Design filing fee      |          |
| 1003 530               | 2003 265      | Plant filing fee       |          |
| 1004 770               | 2004 385      | Reissue filing fee     |          |
| 1005 160               | 2005 80       | Provisional filing fee |          |
| SUBTOTAL (1) (\$ 0.00) |               |                        |          |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    |              |                |          |
|              |                    |                    |              |                |          |
|              |                    |                    |              |                |          |

| Large Entity           | Small Entity  | Fee Description  |
|------------------------|---------------|--|
| Fee Code (\$)          | Fee Code (\$) |  |
| 1202 18                | 2202 9        | Claims in excess of 20                                     |
| 1201 86                | 2201 43       | Independent claims in excess of 3                          |
| 1203 290               | 2203 145      | Multiple dependent claim, if not paid                      |
| 1204 86                | 2204 43       | ** Reissue independent claims over original patent         |
| 1205 18                | 2205 9        | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$ 0.00) |               |  |

\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity                      | Small Entity  | Fee Description  | Fee Paid |
|-----------------------------------|---------------|--|----------|
| Fee Code (\$)                     | Fee Code (\$) |  |          |
| 1051 130                          | 2051 65       | Surcharge - late filing fee or oath  | 130.00   |
| 1052 50                           | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                          | 1053 130      | Non-English specification  |          |
| 1812 2,520                        | 1812 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804 920*                         | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                       | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                          | 2251 55       | Extension for reply within first month                                     |          |
| 1252 420                          | 2252 210      | Extension for reply within second month                                    |          |
| 1253 950                          | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480                        | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010                        | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330                          | 2401 165      | Notice of Appeal   |          |
| 1402 330                          | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290                          | 2403 145      | Request for oral hearing   |          |
| 1451 1,510                        | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110                          | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,330                        | 2453 665      | Petition to revive - unintentional   |          |
| 1501 1,330                        | 2501 665      | Utility issue fee (or reissue)   |          |
| 1502 480                          | 2502 240      | Design issue fee   |          |
| 1503 640                          | 2503 320      | Plant issue fee  |          |
| 1460 130                          | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50                           | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                          | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                           | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 770                          | 2809 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770                          | 2810 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770                          | 2801 385      | Request for Continued Examination (RCE)                                    |          |
| 1802 900                          | 1802 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____         |               |  |          |
| *Reduced by Basic Filing Fee Paid |               |  |          |
| SUBTOTAL (3) (\$ 130.00)          |               |  |          |

(Complete if applicable)

|                   |                  |                                   |        |           |                   |
|-------------------|------------------|-----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Thomas M. Lundin | Registration No. (Attorney/Agent) | 48,979 | Telephone | 440-483-4281      |
| Signature         |                  |                                   |        | Date      | November 28, 2005 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

|   |                       |                                     |
|---|-----------------------|-------------------------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO.                    |
| 10/541,562  | Michael J Petrillo    | PHUS030008US                        |
|   |                       | INTERNATIONAL APPLICATION NO.       |
|   |                       | PCT/IB04/00011                      |
| 38107<br>PHILIPS INTELLECTUAL PROPERTY & STANDARDS<br>595 MINER ROAD<br>CLEVELAND, OH 44143 |                       | I.A. FILING DATE      PRIORITY DATE |
|   |                       | 01/05/2004                          |
| <b>CONFIRMATION NO. 5829</b>  |                       |                                     |
| <b>371 FORMALITIES LETTER</b>   |                       |                                     |
|   |                       |                                     |
| *OC000000017415443*   |                       |                                     |

Date Mailed: 11/08/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/06/2005
- Copy of the International Search Report filed on 07/06/2005
- Preliminary Amendments filed on 07/06/2005
- Information Disclosure Statements filed on 07/06/2005
- Copy of references cited in ISR filed on 07/06/2005
- U.S. Basic National Fees filed on 07/06/2005
- Priority Documents filed on 07/06/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/541,562                  | PCT/IB04/00011                | PHUS030008US     |

FORM PCT/DO/EO/905 (371 Formalities Notice)